

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

WILLIAM SCOTT SOURS,

Plaintiff,

v.

CHAD KARR, et al.,

Defendants.

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No. 3:15-cv-05075-DGK

ORDER DENYING APPOINTMENT OF COUNSEL

Pending before the Court is Plaintiff's Motion for the Appointment of Counsel (Doc. 72).

Having carefully considered the facts of this case, Plaintiff's motion is DENIED.

"There is no constitutional or statutory right to appointed counsel in civil cases." *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006). "[W]hen an indigent prisoner has pleaded a nonfrivolous cause of action, a court 'may' appoint counsel." *Id.* (emphasis in original); *see also* 28 U.S.C. § 1915(e). This circuit has recognized a number of factors to be considered when determining whether to appoint counsel to indigent inmates:

the indigent defendant's chance of success on the merits, the complexity of the legal issues presented and the ability of the defendant to understand and present those issues, the complexity and conflicting nature of the facts, the ability of the defendant to investigate his case, and the relative substantive value of the claims presented.

In re Lane, 801 F.3d 1040, 1041 (8th Cir. 1986). Plaintiff argues that each factor weighs in favor of appointing counsel.

After review of the record, Plaintiff has not demonstrated that appointing counsel is warranted at this time. Plaintiff is filing legible motions that seek relief. He is citing relevant case law and has "identified the applicable legal standard governing his claims." *See Phillips*,

437 F.3d at 794. Further, since the time Plaintiff filed this motion, the Court granted Plaintiff's Motion for Order (Doc. 76) granting him access to all documents and orders in this case.

Accordingly, Plaintiff's Motion for the Appointment of Counsel (Doc. 72) is DENIED.

IT IS SO ORDERED.

Date: October 24, 2017

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT